

Date: August 1, 2024

To: **Mayor and Council**

Name and title: Deanna Wasnik, Director of Planning and Development

Subject: Development Variance Permit Application No. VP100671

Applicant: Ryan Ralph Hemmerich

Location: 6374 Hillcrest Place

Attachment(s): Location and Existing Zoning Map
Development Variance Permit No. VP100671
Exhibit "A" to VP100671

Recommendation(s):

That Council DENIES Development Variance Permit No. VP100671 to vary "City of Prince George Zoning Bylaw No. 7850, 2007" for the property legally described as Parcel A (Being a Consolidation of Lots 1 and 2, See CA7062939), District Lot 2003, Cariboo District, Plan PGP38074 as follows:

- a. Vary Section 10.1.6 1. by increasing the maximum combined gross floor area of accessory buildings and structures on a site from 90.0 m² to 186.0 m², as shown on Exhibit "A" to VP100671.

Purpose:

The applicant is proposing to vary the maximum gross floor area of accessory buildings and structures at 6374 Hillcrest Place (subject property) to facilitate construction of a 186.0 m² accessory building (detached garage).

Background:

Site Characteristics

Location	6374 Hillcrest Place
Current Use	Residential
Site Area	0.35 ha (0.85 acres)
Zoning	RS1: Suburban Residential

Official Community Plan

Future Land Use	Neighbourhood Residential
Growth Management	Infill

Surrounding Land Use Table

North	Residential
South	Residential
East	Residential
West	Hillcrest Place; Residential

Relevant Applications

Building Permit Application No. BP042942: The applicant has concurrently submitted a Building Permit application for the construction of a 186.0 m² detached garage on the subject property. The Building Permit Application has been placed on hold pending consideration of the proposed variance. Should this application be approved, the Building Permit Application review process will proceed.

Policy / Regulatory Analysis:

Zoning Bylaw No. 7850, 2007

The subject property is zoned RS1: Suburban Residential, as per Zoning Bylaw No. 7850, 2007. The purpose of the RS1 zone is to foster a suburban lifestyle on properties larger than 845 m². The RS1 zone also provides for complementary residential related uses that are compatible with the residential character of the area. The RS1 accessory development regulations restrict the maximum total combined gross floor area of accessory buildings on a site to 90.0 m². To facilitate construction of the proposed 186.0 m² detached garage on the subject property, the applicant has applied to vary the maximum total combined gross floor area of accessory buildings and structures on a site from 90.0 m² to 186.0 m², as shown on Exhibit "A" to VP100671.

The Zoning Bylaw defines an "accessory building" as a building or structure detached from a principal building (i.e., single detached housing), which is naturally, normally, and customarily incidental, subordinate, exclusively devoted to, and on the same site as the principal building in use. The existing dwelling on the subject property has a footprint of approximately 242 m². The proposed 186 m² detached garage is ~78% of the footprint of the existing dwelling, which is not seen to be incidental to the dwelling.

The proposed detached garage will be located beside the existing dwelling to the south, as shown on Exhibit "A" to VP100671. Both the existing dwelling and proposed garage will have similar front yard setbacks.

No variances to increase the gross floor area of accessory buildings have been approved in the surrounding neighbourhood. As such, the proposed detached garage will not be consistent in size and form with accessory buildings in the surrounding area. The size of the proposed shop would be better suited for an area that supports a commercial/industrial shop use.

Furthermore, only two other development variance applications have been received to increase the gross floor area of accessory development by 100% or more in the RS1 zone. While these applications

were approved, both applications considered different forms, specifically the combined areas of a garden shed and detached shop (VP100164), and two open-sided carports and a detached shop (VP100388). The proposed variance application will be one detached accessory building to be used as a garage.

Administration is not in support of this variance request as the proposed variance from 90.0 m² to 186.0 m² (~107% increase) is significant, is not considered incidental to the existing dwelling, and would facilitate a structure that exceeds any other accessory development in the neighbourhood.

Other Considerations:

Statutory Notification and Public Consultation

Members of the public wanting to provide comment on the application may submit written correspondence to Council. As per the requirements set out in the *Local Government Act* and “City of Prince George Development Procedures Bylaw No. 9423, 2023”, the City of Prince George will mail or otherwise deliver a public notice to property owners and tenants whose interests may be affected by this application. Written submissions received in response to the public notice for this application will be provided to Council for their consideration at the time the application and granting of the permit is being considered. Submissions received after the Council meeting agenda has been published will be provided to Council as a handout on the day of the Council meeting for consideration during deliberations on the application.

Referrals

This application was referred to internal City divisions and external agencies with no outstanding concerns.

Source Control

The proposed development includes an oil water separator and track drains in the foundation, typical of a commercial shop. Should this application be approved, compliance with the Sanitary Sewer Use Bylaw No. 9055, 2019 for any discharge from the subject property will need to be confirmed through the Building Permit process.

Alternatives:

1. Approve the permit
2. Approve the permit as amended
3. Refuse the permit
4. Defer or otherwise deal with the permit

Administration recommends that Development Variance Permit No. VP100671 be denied. Should Council support this application, Development Variance Permit No. VP100671 has been attached to this report.

Summary and conclusion:

Administration recommends that Council deny the applicant's request to increase the maximum combined gross floor area of accessory buildings and structures on a site from 90.0 m² to 186.0 m², as shown on Exhibit "A" to VP100671, for the reasons outlined in this report.

Respectfully submitted:

Deanna Wasnik, Director of Planning and Development

Prepared by: Keone Gourlay, Planner 1

Approved:

Walter Babicz, City Manager

Meeting date: 2024/11/04